

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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|--------------------------|---|---------------------------|
| GREGORY SHANE JONES, |) | Case No. 1:23-cv-2203 |
| |) | |
| Plaintiff, |) | Judge J. Philip Calabrese |
| |) | |
| v. |) | Magistrate Judge |
| |) | Amanda M. Knapp |
| COMMISSIONER OF SOCIAL |) | |
| SECURITY ADMINISTRATION, |) | |
| |) | |
| Defendant. |) | |
| |) | |

ORDER

Before the Court is the Magistrate Judge's Interim Report and Recommendation (ECF No. 5.) in this appeal from the administrative action of the Social Security Administration, which denied disability benefits. The Magistrate Judge recommends that the Court deny Plaintiff's motion to proceed *in forma pauperis*. (*Id.*) The Magistrate Judge concluded that Plaintiff is able to afford with filing fee of \$402.00 "without undue financial hardship." (*Id.*, PageID #15.)

The Report and Recommendation advised both parties that a failure to object within 14 days may result in waiver of rights on appeal, which includes the right to review before the Court. (*See id.*, PageID #16.) Under the law of this Circuit, "failure to object to a magistrate judge's Report and Recommendation results in a *waiver* of appeal on that issue as long as the magistrate judge informs parties of that potential waiver."

The time for filing objections to the Report and Recommendation has passed. Plaintiff neither objected, nor provided some legitimate reason why he failed to do so. Therefore, the Court **ADOPTS** the Interim Report and Recommendation (ECF No. 5) and **ORDERS** “Plaintiff to pay the filing fee in this matter within thirty days [from the date of this Order], or face dismissal of the action without prejudice.” (ECF No. 5, PageID #15.)

SO ORDERED.

Dated: December 15, 2023

A handwritten signature in black ink, appearing to read 'J. Philip Calabrese', written over a horizontal line.

J. Philip Calabrese
United States District Judge
Northern District of Ohio